

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSUE CASTANEDA JUAREZ, *et al.*,

Petitioners-Plaintiffs,

v.

NATHALIE ASHER, *et al.*,

Respondents-Defendants.

Case No. C20-700 JLR-MLP

ORDER

This matter is before the Court on Petitioners' motion to extend the current discovery and dispositive motions deadlines by 90 days. (Dkt. # 211.) Petitioners assert there is good cause to modify the scheduling order because there is a pending Report and Recommendation recommending the Court grant Petitioners' motion for class certification, and that to date, discovery has been limited to Petitioner Khan. (Mot. at 2.) Petitioners assert that they will be unable to obtain discovery relevant to class members under the current schedule. (*Id.*)

Federal Respondents oppose Petitioners' motion.¹ (Dkt. # 219.) Respondents argue Petitioners' request is premature because the Court has not yet ruled on the pending Report and Recommendation. (*Id.* at 1.) Respondents also argue that the Court granted only limited

¹ GEO Respondents join federal Respondents' opposition to Petitioners' motion. (Dkt. # 220.)

1 discovery that requires court approval and Petitioners have not identified or proposed what
2 additional discovery they would seek regarding the potential class. (*Id.* at 2.) Respondents further
3 note that much of the discovery produced relates to the proposed putative class. (*Id.*)

4 The Court finds an extension of the discovery and dispositive motions deadlines
5 unwarranted at this time. Because the Court has yet to rule on the Report and Recommendation
6 regarding class certification, this matter is not a class action and the current deadlines are
7 sufficient to address the permitted discovery regarding Petitioner Khan. Accordingly, Petitioners'
8 motion is DENIED. Should the Court grant Petitioners' motion for class certification, Petitioners
9 may renew their motion and identify the additional proposed discovery they seek for court
10 approval.

11 The Clerk is directed to send copies of this order to the parties and to the Honorable
12 James L. Robart.

13 Dated this 2nd day of February, 2021.

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15 MICHELLE L. PETERSON
16 United States Magistrate Judge
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